

29763. Adulteration and misbranding of Pariogen Tablets. U. S. v. 127 Dozen Tubes and 3¾ Dozen Tubes of Pariogen Tablets. Default decree of condemnation and destruction. (F. & D. Nos. 42969, 42970. Sample No. 22066-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims and false and misleading representations regarding its antiseptic and germicidal properties.

On June 27, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 130¾ dozen tubes of Pariogen Tablets at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about February 9, 1938, by the American Drug & Chemical Co. from Minneapolis, Minn.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of Rochelle salts, starch, and a very small amount of a chlorine-liberating compound. Bacteriological tests showed that it was not antiseptic and germicidal when used as directed.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, (display carton) "Antiseptic and Germicide," since it was not an antiseptic and germicide.

Misbranding was alleged in that the following statements, borne on the package, were false and misleading since the article was not as represented by the statements: (Display carton) "Powerful Dependable Antiseptic And Germicide * * * Prophylactic Deodorant Antiseptic Germicide," (label) "Deodorant," (circular) "The Antiseptic and germicidal effect of Pariogen Tablets will last for about one hour following the insertion of the tablet. * * * It is not necessary to employ strong, irritating, and poisonous disinfectants and germicides. Physicians know that the frequent and wrongful use of bichloride of mercury (corrosive sublimate), cresol and other caustic and burning solutions in feminine personal hygiene are harmful. The continued use of even a weak solution of bichloride of mercury has a destructive action upon the tissues and will interfere with the normal functions of the membranes of the vaginal tract. Soap is usually added to preparations made from cresol. This is done for the purpose of trying to reduce the burning effect produced by solutions made with these poisonous compounds. When these poisonous solutions are used in sufficient strength to have practical value as germicides they have a corrosive action, dulling the sensitiveness of the vaginal tract and causing it to have a dry and hardened feeling." Misbranding was alleged further in that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Display carton) "For Feminine Personal Hygiene": (label) "* * * for use in feminine personal hygiene"; (circular) "* * * for Use in Feminine Personal Hygiene * * * The Modern Method In Feminine Personal Hygiene * * * method in personal hygiene. * * * when used as directed affords a source of satisfaction * * * The antiseptic and germicidal effect of Pariogen Tablets will last for about one hour following the insertion of the Tablet. * * * While Pariogen Tablets Are Non-Irritating to healthy mucous membrane, where there is no abrasion, the first one or two applications may, in some instances, cause a slight irritation where the membrane is particularly sensitive, due to soreness arising from discharges, inflammation or other causes."

On September 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29764. Misbranding of Vitatonic. U. S. v. 246 Bottles of Vitatonic. Default decree of condemnation and destruction. (F. & D. No. 43240. Sample No. 26243-D.)

This product contained less alcohol than declared and its labeling bore false and fraudulent curative and therapeutic claims and other misrepresentations.

On August 9, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 246 bottles of Vitatonic at Jersey City, N. J.; alleging that the article had been shipped in interstate commerce on or about July 20, 1938, from New York, N. Y., by Edward Hidden; and charging misbranding in violation of the Food and Drugs Act as amended.